

# EXHIBIT H

**Laurie Horan**  
c/o  
**H.O.U.S.E. Help, Inc.**  
2021 Tyler Street  
Suite #203  
Hollywood, Florida 33020

April 14<sup>th</sup>, 2022

**Select Portfolio Servicing, Inc.**

P.O. Box 65277  
Salt Lake City, UT 84165-0277  
ATTN: Notice of Error/RFI

Certified Mail # 7021 0950 0000 5198 5301

**2<sup>ND</sup> NOTICE OF ERROR &**  
**3<sup>RD</sup> REQUEST FOR INFORMATION TO PAY OFF LOAN**

**Property Owner:** Laurie Horan  
**Property Address:** 13964 Aster Avenue  
Wellington, Florida 33414

**Loan Number:** 001 963 2686

To Whom It May Concern:

1. As Servicer of the above referenced Mortgage Loan, please treat this as my second “notice of error” (2<sup>nd</sup> NOE) and my third request for an accurate payoff statement (3<sup>rd</sup> payoff request) pursuant to the Real Estate Settlement Procedures Act (“RESPA”), 12 U.S.C. 2605(e); 12 U.S.C. 2605(k)(1)(c); and Regulation X, 12 C.F.R. § 1024.35(e)(3)(i)(A). This 2<sup>nd</sup> NOE is specifically due to Select Portfolio Servicing, Inc.’s (hereinafter, “SPS”) failure to take timely action to respond to my March 5, 2022 request for it [SPS] to correct an error relating to my request for a final balance (Payoff Statement) for purposes of me, or someone on my behalf, to pay off the subject loan, and to possibly help me avoid foreclosure. (See 12 U.S.C 2605(k)(1)(c)).

2. On or before January 31, 2022, received my<sup>1</sup> request for information (“RFI”) pursuant to the Real Estate Settlement Procedures Act, 12 U.S.C. 2605 and its implementing Regulations, Regulation X, 12 C.F.R. 1024.36. Also on January 31, 2022, SPS received my first request for an accurate payoff statement pursuant to the Truth in Lending Act (“TILA”), Regulation Z, 12 C.F.R. 1026.36(c)(3).

3. On March 5, 2022, SPS received my first notice of error (“1<sup>st</sup> NOE”). My 1<sup>st</sup> NOE was due to SPS’ failure to timely provide me with an accurate payoff statement as I

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<sup>1</sup> “Me”, “My”, “Us”, “We”, “Our” and/or “I” means the homeowner Ms. Laurie Horan and/or her authorized representative, HOUSE Help, Inc.

requested on January 24, 2022, and that would allow me, or someone on my behalf, to pay off the subject loan.

4. Although SPS received my 1<sup>st</sup> NOE more than seven (7) business days ago, it still has not yet responded to, and/or investigated that March 5, 2022 notice of error. As such, SPS has blatantly violated the timing and response requirements of 12 C.F.R. § 1024.35(b)(6), 12 C.F.R. § 1024.35(d), 12 C.F.R. § 1024.35(e)(1)(i); 12 C.F.R. § 1024.35(e)(3)(i)(A), and 12 C.F.R. § 1026.36(c)(1).

- The failure of a servicers such as SPS “to timely provide an accurate payoff balance amount upon a borrower's request”, is a “covered” error under 12 C.F.R. § 1024.35(b)(6).
- Section § 1024.35(d) and (e)(3)(i)(A) of 12 C.F.R., mandates that SPS was required to timely acknowledge receipt of my March 5, 2022 NOE and was required to timely respond to, and properly investigate said NOE.
- Finally, 12 C.F.R. § 1026.36(c)(1) of the Truth in Lending Act (TILA), and its implementing regulation, Regulation Z obligates servicers such as SPS to provide an accurate statement of the total outstanding balance that would be required to pay the consumer's obligation in full as of a specified date. More importantly, Regulation Z provides that the payoff statement “shall be sent within a reasonable time, *but in no case more than seven business days, after receiving a written request from the consumer or any person acting on behalf of the consumer*”. (Emphasis supplied).

5. Clearly, SPS has failed to acknowledged, respond to, and investigate my March 5, 2022 NOE – and to do so, “no later than seven (7) days (excluding legal public holidays, Saturdays, and Sundays) after March 5, 2022.

6. Thank you for taking the time to respond to this 2<sup>nd</sup> notice of error and 3<sup>rd</sup> request of an accurate payoff statement/final balance for purposes of paying off the subject loan.

\*\*\*\*\* Please send all correspondence to: \*\*\*\*\*

c/o H.O.U.S.E. Help, Inc.

2021 Tyler Street  
Suite #203  
Hollywood, Florida 33020

Very truly yours,

  
\_\_\_\_\_  
/s/  
Borrower/Borrower's Representative

, March \_\_\_\_\_, 2022